

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: REFCO SECURITIES LITIGATION : 07 MDL 1902 (JSR)
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KENNETH M. KRYSS and CHRISTOPHER : 08 Civ. 7416 (JSR)
STRIDE, as JOINT OFFICIAL LIQUIDATORS :
of SPHINX LTD., *et al.*, :
: ECF Filed
Plaintiffs, :
-against- :
: :
ROBERT AARON, *et al.*, :
: :
Defendants. :
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KENNETH M. KRYSS and CHRISTOPHER : 08 Civ. 8627 (JSR)
STRIDE, as JOINT OFFICIAL LIQUIDATORS :
of SPHINX LTD., *et al.*, :
: ECF Filed
Plaintiffs, :
-against- :
: :
RICHARD BUTT, :
: :
Defendant. :
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DECLARATION OF ELLIOTT Z. STEIN IN SUPPORT OF
ROBERT AARON'S LIMITED OBJECTION
TO THE AUGUST 4, 2010 REPORT AND RECOMMENDATION
OF THE SPECIAL MASTER ON RICHARD BUTT'S MOTION TO DISMISS

I, Elliott Z. Stein, hereby declare under penalty of perjury as follows:

1. I am an associate at the law firm Dickstein Shapiro LLP, counsel for Defendant Robert Aaron in *Krys, et al. v. Aaron, et al.*, 08 Civ. 7416. I respectfully submit this Declaration in further support of Mr. Aaron's Limited Objection to the August 4, 2010 Report and Recommendation of the Special Master on Richard Butt's Motion to Dismiss in *Krys, et al. v. Butt*, 08 Civ. 8627.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Amended and Restated Service Agreement dated February 28, 2006, between DPM Mellon, LLC, DPM Mellon Limited, the Feeder Funds, the Portfolio Funds, and the Strategy Master Funds, as those terms are defined therein.

3. I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 16, 2010

By: s/ Elliott Z. Stein

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